

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	No. 3:16-00189
v.)	No. 3:17-00179
)	JUDGE TRAUGER
JEREMY STACEY GODWIN)	

POSITION OF DEFENDANT WITH RESPECT TO SENTENCING FACTORS

The defendant, Jeremy Godwin, through undersigned counsel, hereby notifies this Court that he has reviewed the Presentence Investigation Report, and he has no objections or corrections to the information contained therein.

In this case, the parties have entered into a binding plea agreement, pursuant to Fed. R. Crim. P. 11(c)(1)(C). The agreement recommends that the sentence imposed shall include a term of imprisonment of 77 months in each case to be served concurrently with one another. The parties have agreed that Mr. Godwin should be placed on supervised release for three years after his term of imprisonment. Finally, the parties have also agreed that Mr. Godwin must pay \$600 in restitution to Chase Bank and \$2,190 restitution to SunTrust Bank. Mr. Godwin submits that this sentence is sufficient, but not greater than necessary, to satisfy the goals of sentencing, and he respectfully asks the Court to impose the requested sentence. In reaching this agreement, the parties took into account the sentencing factors and agree that this sentence is fair and just under all the facts and circumstances of this case, including the history and characteristics of Mr. Godwin.

Mr. Godwin is currently serving a four year sentence in the state of Indiana, and that sentence is expected to expire on September 9, 2019. (PSR at ¶ 63). Mr. Godwin respectfully requests that this Court impose the 77-month sentence to be served concurrently with the sentence in Indiana. He submits that a concurrent sentence is sufficient, but not greater than necessary, to satisfy the goals of sentencing at 18 U.S.C. § 3553.

Mr. Godwin recognizes that he has a lengthy criminal record. However, most if not all of Mr. Godwin's criminal activity has been motivated by untreated mental health issues and drug addiction. Mr. Godwin has struggled with mental health issues and drug addiction for much of his life. And he has attempted suicide on at least three occasions. (PSR at ¶ 84-94). Indeed, Mr. Godwin sought mental health treatment from Southern Hills Medical Center and Centennial Medical Center in the weeks leading up to the robberies in this case. Mr. Godwin was interviewed by a representative from the Mental Health Coop while he was at Centennial Medical Center, but he was arrested by Metro police on an outstanding warrant before he could receive any treatment.

It is likely that Mr. Godwin's drug addiction and mental health issues stem from the fact that he was severely abused by an older male when he was a teenager. (PSR at ¶ 76). The individual who abused Mr. Godwin also introduced him to cocaine and heroin. This mitigating evidence weighs in favor of this Court imposing the 77-month sentence agreed upon by the parties. It also weighs in favor of this Court imposing the 77-month sentence to be served concurrently with the four-year sentence that he is presently serving with the state of Indiana. Mr. Godwin requests that this Court recommend that he receive mental health treatment and

drug treatment while he serves his sentence in the Bureau of Prisons. Mr. Godwin also requests that this Court recommend that he serve his term of imprisonment at a federal medical center so that he may receive intensive mental health treatment. Finally, Mr. Godwin requests that this Court order that he receive mental health treatment and drug treatment during his term of supervised release.

Mr. Godwin is truly remorseful for his conduct in this case. He desperately wants to be provided with drug and mental health treatment to address the underlying issues that have plagued him for so long. He looks forward to addressing this Court at the sentencing hearing. He is hopeful that the Court will accept the Rule 11(c)(1)(C) plea agreement, and he submits that this Court should impose that sentence and order it to be served concurrently with the sentence that he is now serving with the state of Indiana.

Respectfully submitted,

s/ R. David Baker

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CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2018, I electronically filed the foregoing Position of Defendant with Respect to Sentencing Factors with the U.S. District Court Clerk by using the CM/ECF system, which will send a Notice of Electronic Filing to the following: Mr. William Lee Deneke, Assistant United States Attorney, 110 Ninth Avenue South, Suite A-961, Nashville, Tennessee 37203-3870.

This Position Statement has also been sent, *via electronic filing*, to Terra Everett, U.S. Probation Officer, 110 Ninth Avenue South, Suite A-725, Nashville, TN 37203.

s/ R. David Baker

R. DAVID BAKER